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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,705	07/22/2003	Joerg Schwan	2058.236US1	4927
50400 7590 12/11/2009 SCHWEGMAN, LUNDBERG & WOESSNER/SAP P.O. BOX 2938 MINNEAPOLIS, MN 55402				
EXAMINER BOYCE, ANDRE D				
ART UNIT 3623		PAPER NUMBER		
NOTIFICATION DATE 12/11/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@slwip.com
request@slwip.com

Office Action Summary

Application No.

10/623,705

Applicant(s)

SCHWAN ET AL.

Examiner

Andre Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 15, 2009 has been entered.
2. Claims 1 and 15 have been amended. Claims 1-28 are pending.
3. The previously pending rejections to claims 1-14 under 35 USC 101 have been withdrawn.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Matheson (USPN 6,944,514).

As per claim 1, Matheson discloses a computer-implemented method to manage a change to a product structure (i.e., innovation information management, including an engineering change, column 5, lines 9-25), the method comprising: defining

instructions, at a computer to implement the change to the product structure (i.e., product requirements 120, column 5, lines 26-30); associating a first validity for the change with a first organizational structure, the first organizational structure having a first organizational view of the product structure (i.e., requirements from many sources, e.g., marketing, customers, engineering, manufacturing, column 5, lines 26-30), the first validity determining if the change is allowed by the first organizational structure and when the instructions to implement the change affect the product structure (i.e., a product requirement that must be fulfilled, column 5, lines 26-27); associating a second validity for the change with a second organizational structure, the second organizational structure having a second organizational view of the product structure (i.e., requirements from many sources, e.g., marketing, customers, engineering, manufacturing, column 5, lines 26-30), the second validity determining if the change is allowed by the second organizational structure and when the instructions to implement the change affect the product structure (i.e., a product requirement that must be fulfilled, column 5, lines 26-27); and automatically implementing the change, at the computer, according to the first validity for the first organizational view, and according to the second validity for the second organizational view (i.e., product requirement interface allows tracking of all decisions related to the product requirements, column 7, lines 7-10).

As per claim 2, Matheson discloses defining instructions to change a plurality of different objects of the product structure (i.e., object model 100, column 5, lines 15-20).

As per claim 3, Matheson discloses at least one of the first and second validities depends on a date (i.e., data may be created automatically, including creation time of last modified date, column 8, lines 47-57).

As per claim 4, Matheson discloses at least one of the first and second validities is valid beginning with a first date and ending with a second date (i.e., data may be created automatically, including creation time of last modified date, column 8, lines 47-57).

As per claim 5, Matheson discloses a hierarchy of organizational structures and wherein the second validity depends on the first validity (i.e., each product idea may have various associated product requirements which may have associated product function objects, column 5, lines 53-61).

As per claim 6, Matheson discloses at least one of the first and second validities depends on attaining a production milestone (i.e., product requirement 120 the product must fulfill, column 5, lines 26-30).

As per claim 7, Matheson discloses at least one of the first and second validities depends on implementing a different change to the product structure (i.e., requirements from many sources, e.g., marketing, customers, engineering, manufacturing, column 5, lines 26-30).

As per claim 8, Matheson discloses a previous validity is associated with the change and wherein defining instructions to implement the change includes defining instructions for modifying the previous validity (i.e., innovation information management, including an engineering change, column 5, lines 9-25).

As per claim 9, Matheson discloses the change includes previous instructions for changing the product structure and wherein defining instructions to implement the change includes defining instructions for modifying the previous instructions (i.e., innovation information management, including an engineering change, column 5, lines 9-25).

As per claim 10, Matheson discloses the first validity precedes the second validity (i.e., each product idea may have various associated product requirements which may have associated product function objects, column 5, lines 53-61).

As per claim 11, Matheson discloses the second validity is dependent upon the first validity and contemporaneous with the first validity (i.e., each product idea may have various associated product requirements which may have associated product function objects, column 5, lines 53-61).

As per claim 12, Matheson discloses storing the instructions to implement the change to the product structure, the first validity, and the second validity in a first database, wherein the product structure is stored in a second database, the second database being separate from the first database (i.e., separate relational database file defined for each defined interface, column 7, lines 34-50).

As per claim 13, Matheson discloses receiving a request to make a change to a product structure (i.e., innovation information management, including an engineering change, column 5, lines 9-25).

As per claim 14, Matheson discloses determining whether the change should be implemented (i.e., decisions related to product requirements and product function,

column 7, lines 5-7); generating a change order to implement the change, the change order including the instructions to implement the change of the product structure, the first validity, the second validity (i.e., innovation information management, including an engineering change, column 5, lines 9-25), and a name of a user who determined that the requested change should be implemented (i.e., user access via appropriate permissions, column 4, lines 49-55); and storing the change order in a first database, wherein the product structure is stored in a second database, the second database being separate from the first database (i.e., separate relational database file defined for each defined interface, column 7, lines 34-50).

Claims 15-28 are rejected based upon the same rationale as the rejections of claims 1-14, respectively, since they are the computer program product claims corresponding to the method claims.

Response to Arguments

6. In the Remarks, Applicant argues that Matheson does not describe or suggest the first validity determining if the change is allowed by the first organizational structure and when the instructions to implement the change affect the product structure, and the second validity determining if the change is allowed by the second organizational structure and when the instructions to implement the change affect the product structure. The Examiner respectfully disagrees. Matheson discloses a product requirement that must be fulfilled, column 5, lines 26-27, which could include

a regulatory constraint 160, column 5, lines 61-65. As such, the change would not be allowed unless the product requirement is met (i.e., must be fulfilled).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571)272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andre Boyce/
Primary Examiner, Art Unit 3623
December 6, 2009